

The Office Action relies on Rekieta as disclosing most of the limitations in the claims, citing Antic for its disclosure of a system having a plurality of databases and Reiman as disclosing signaling databases when they have been updated. It is believed, however, that at least some of the claim limitations are not disclosed in the cited art so that a *prima facie* case under §103 has not been established.

For example, each of independent Claims 1, 4, 5, and 8 recites a database *of functions* for controlling a telecommunication network. There is not only data itself, but also a data control function, i.e. the means of handling queries, updates, etc. Each of the independent claims requires that the database be replicated a plurality of times, which inherently requires that the *data control function* be replicated a plurality of times. The data control function of the primary database generates signals for synchronized updating of all the replicated databases and the data control function of the primary standby database generates signals for synchronized updating of all the databases *in the event of a failure of the primary database*. This limitation is included in independent Claims 1 and 5 using this language and is included in independent Claims 4 and 8 by reciting that the replicated databases be updated from the primary standby database “when said primary database has failed.” This limitation effectively imposes a hierarchy of updating functions that is not disclosed or suggested in the cited prior art.

In the discussion of Rekieta in the Office Action, the primary database is identified as SCP 16 and the primary standby database as SCP 14, both shown in Fig. 1 of Rekieta. Rekieta discloses that the subscriber database be stored in both SCPs with the aim of ensuring that those databases contain the same data (Rekieta, Col. 3, ll. 45 – 48). Thus, as illustrated in Fig. 17 of Rekieta, the updating operation is mutual between the databases with each synchronizing the other. In particular, there is no hierarchy between the two SCPs, with them instead interacting symmetrically to maintain the same data, to notify the other when it has been updated, and to provide mutual cross-updating. This is clearly noted in Rekieta notwithstanding its characterization of each of the databases as “primary” for a *portion* of the data:

The subscriber database is stored in both SCPs, where one SCP is the primary SCP for half of the subscribers, and the other SCP is the primary SCP for the remaining half of the subscribers. Updates of transient data related to the subscribers, such as current subscriber location, are routed to the primary SCP only, but the SCPs exchange updated transient data *on a periodic basis* to bring each other's database up to date. Static data updates, such as subscriber additions, deletions, and service modifications, are initiated by the SMS 12 to both SCPs 14 and 16 *simultaneously*. (Rekieta, Col. 3, ll. 45 – 55, emphasis added).

Thus, the updating of the replicated databases is not performed “in the event of a failure” of a designated primary database as the claims require. There is no disclosure or suggestion in Rekieta that the remaining SCP would take over the updating of the replicated database in the event of a failure to the other SCP.

Moreover, there also is no disclosure or suggestion of this limitation in Antic or Reiman. Antic is cited merely for its disclosure of a plurality of replicated databases. If this teaching of Antic were applied to the system of Rekieta, it would result in a system in which the multiple databases would have mutual updating capability, i.e. each database would have equal power to update the other databases as taught by Rekieta. This is markedly different from the invention as claimed. The claim language imposes an implementation of an updating hierarchy so that one database (the primary database) acts as the sole source for updating of all the databases until it has failed. Only then is a second database (the primary standby database) initiated to provide synchronized updating of all the databases remaining. Unlike the combination of Rekieta and Antic, which would provide mutual cross-updating, the present claims require a hierarchy of controls in which a failure of a database is required to change the control.

For at least these reasons, independent Claims 1, 4, 5, and 8 are neither taught nor suggested by the cited art. The claims that depend therefrom are also believed to be allowable by virtue of their dependence from patentable claims.

CONCLUSION


In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

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If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,


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